

SENATE JOURNAL

Thirty-Eighth Legislature—Second Called Session.

FIRST DAY.

Senate Chamber,
Austin, Texas,

Monday, April 16, 1923.

In obedience to the call of His Excellency, Hon. Pat M. Neff, Governor of the State of Texas, convening the Thirty-eighth Legislature in Second Called Session this, the 16th day of April, 1923, the Senate met in the Senate Chamber of the Capitol in the City of Austin at 10 o'clock a. m., and was called to order by Lieutenant Governor T. W. Davidson.

Temporary Officers.

The Chair announced the appointment of the following temporary officers:

Secretary, W. V. Howerton.

Sergeant-at-Arms, A. W. Holt.

Assistant Secretary, Richard Blacklock.

Journal Clerk, Tilden Childs.

Assistant Journal Clerk, Mrs. Josephine Collins.

Assistant Sergeant-at-Arms, J. A. Kenny.

Calendar Clerk, Hester Streitch.

Assistant Calendar Clerk, C. A. Crocker.

Telephone Operator, Miss Mary Jacobs.

Doorkeeper, W. H. Brummett.

Assistant Doorkeeper, Lane Tynes.

Chaplain, Rev. T. M. Dalton.

Roll Call.

The following Senators answered to their names:

| | |
|------------|-----------|
| Bailey. | Holbrook. |
| Baugh. | Lewis. |
| Bowers. | McMillin. |
| Clark. | Murphy. |
| Cousins. | Parr. |
| Darwin. | Pollard. |
| Doyle. | Ridgeway. |
| Dudley. | Strong. |
| Fairchild. | Stuart. |
| Floyd. | Thomas. |

1—Jour.

Turner.
Watts.
Wirtz.

Wood.
Woods.

Absent.

Bledsoe.
Burkett.
Davis.

Rice.
Rogers.
Witt.

Prayer by Rev. T. M. Dalton of Austin.

Proclamation By the Governor of the State of Texas.

Whereas, The Regular Session of the Thirty-eighth Legislature, and the First Called Session thereof, adjourned without providing sufficient revenue for the proper maintenance of our public schools, our eleemosynary asylums, and our State Government for the coming two years; and

Whereas, The State Treasury is now confronted with a deficiency which will aggregate approximately \$6,000,000, unless the Legislature at once makes provision for the raising of sufficient revenue to take care of this deficiency; and

Whereas, There are some real constructive legislative measures that ought to be enacted into law for the growth of Texas, and the economic administration of the Texas Government;

Now, Therefore, I, Pat M. Neff, Governor of the State of Texas, by virtue of authority vested in me, by the Constitution of the State of Texas, in Article 4, Section 8, do hereby call the Thirty-eighth Legislature in extraordinary session to convene in the city of Austin, Texas, at nine o'clock, Monday morning, April sixteenth, A. D. 1923, for the following purposes, to-wit:

1st. To provide sufficient funds to properly maintain our public schools, our eleemosynary asylums, and the Texas Government.

2nd. To make appropriations within the available revenue for the support and maintenance, for the coming two years, of our public

schools, our eleemosynary asylums, and the State Government.

3rd. To vest the courts of Texas with effective authority to remove from office any officer against whom it can be proven in open court and before a jury, that such officer has willfully and corruptly failed and refused to enforce, as he took an oath to enforce, the laws of the country.

4th. To pass such laws as will make more effective the provisions of the Federal, and State Constitutions which prohibit the manufacture the sale, and the transportation of intoxicating beverages.

5th. To consider and act upon such other matters of vital and constructive importance as may be presented by the Governor pursuant to Article 3, Section 40, of the Constitution of Texas.

In testimony whereof, I have hereunto signed my name and officially caused to be impressed hereon the Seal of the State, at the City of Austin, Texas, this the 7th day of April, A. D. 1923.

(Signed) PAT M. NEFF,
(Seal) Governor of Texas.
By the Governor:

(Signed) C. W. PAYNE,
Chief Clerk, Acting Secretary of State.

Filed in the office of Secretary of State, this 7th day of April, A. D. 1923.

(Signed) S. L. STAPLES,
Secretary of State.

United States of America,
State of Texas.

I, S. L. Staples, Secretary of State of the State of Texas, do hereby certify that the attached and foregoing is a true and correct copy of the Proclamation issued by Pat M. Neff, Governor of Texas, calling a Special Session of the Thirty-eighth Legislature to convene in the City of Austin, Texas, at 9:00 o'clock a. m., Monday, April the 16th, A. D. 1923, as said Proclamation now appears of record in this Department.

In testimony whereof, I have hereunto signed my name officially, and caused the Seal of State to be hereon impressed at the City of Austin, Texas, this the sixteenth (16th) day of April, A. A. 1923.

(Seal) S. L. STAPLES,
Secretary of State.

Officers Elected.

Senate Chamber,

Austin, Texas, April 16, 1923.

Hon. T. W. Davidson, President of the Senate.

Dear Sir: A caucus was held in the Secretary's office of the Senate, attended by twenty-one Senators, and by unanimous vote of those present it was agreed that those Senators present holding proxies for those Senators absent could cast said proxies.

The purpose of the caucus was to determine the number and personnel of the Senate employes for the ensuing Second Called Session of the Thirty-eighth Legislature.

Senator Clark was elected chairman of the caucus and Senator Witt was elected secretary.

The following officers and employes were recommended as officers and employes of the Senate during the Second Called Session of the Thirty-eighth Legislature:

Secretary, W. V. Howerton.
Assistant Secretary, Richard Blacklock.

Journal Clerk, Tilden Childs.
Assistant Journal Clerk, Mrs. Josephine Collins.

Second Assistant Journal Clerk, Miss Rebecca Bradley.

Sergeant-at-Arms, A. W. Holt.
First Assistant Sergeant-at-Arms, J. A. Kenny.

Second Assistant Sergeant-at-Arms, Morris Midkiff.

Third Assistant Sergeant-at-Arms, Morris Hankins.

Calendar Clerk, T. H. Streitch.
Assistant Calendar Clerk, Mrs. W. R. Davis.

Mailing Clerk, Mrs. Beulah Swann.
Assistant Mailing Clerk, Mrs. Lottie Sturdevant.

Assistant Mailing Clerk, Miss Mary Jones.

Postmistress, Miss Annie Allen.
Chaplain, Rev. T. M. Dalton.

Telephone Operator, Miss Mary Jacobs.

Doorkeeper, W. H. Brummitt.
Assistant Doorkeeper, Lane Tynes.

Librarian, Miss Mary Belle Strauss.
Paper Man, Old Ladies' Home, J. J. McCullough.

Paper Man, Old Ladies' Confederate Home, Russell Nelson.

Paper Man, Confederate Home, Johnnie Cook.

Each of the above newspaper messengers to receive \$2.50 per day.

It is further recommended that the Chairman of the Enrolling and Engrossing Committees be authorized to employ enrolling and engrossing clerks and such assistants as necessary, and that their appointments be referred to the Senate for confirmation. And that the enrolling and engrossing clerks shall each receive \$7.50 per day, respectively, for their services.

It is further recommended that each Senator be permitted to name one stenographer, and that such employee act as clerk of each committee of which said Senator shall be chairman.

It is further recommended that the President of the Senate have exclusive appointment of such number of pages and porters as in his judgment may be necessary.

It is further recommended that compensation of officers and employees named, except as otherwise expressly provided, shall receive \$5.00 per day, except that the Secretary of the Senate, the Journal Clerk, and Sergeant-at-Arms shall each receive \$7.50 per day, and except further that the pages shall receive \$2.50 per day, and all the porters, except the head porter and porter who carries the mail, shall receive \$2.00 per day, and the head porter and the porter who carries the mail shall receive \$3.00 per day.

It is further recommended that the Lieutenant Governor be authorized to use any of the employees needed for any other work in the Senate where their services may be required in the judgment of the Lieutenant Governor.

It is further recommended that the Lieutenant Governor be permitted to select a secretary and an assistant secretary and personal messenger and that their salaries be the same as in the regular session.

It is further recommended that the Senators be given such time as they desire to name their personal appointments and that such appointments be made by handing the names of such appointees to the Secretary of the Senate.

It is further recommended that 2,000 copies of the Daily Journal be printed and that the same be prorated among the Senators and the Lieutenant Governor, except that 300 shall be furnished the members of the House.

It is further recommended that the Sergeant-at-Arms rent such typewriters as may be necessary for the use of the employees of the Senate, such rental not to exceed four dollars per month.

It is further recommended that the Lieutenant Governor and each Senator be allowed the stationery and postage needed by them, respectively, and be allowed expenses incurred in the transmitting and receiving the telephone messages and telegraph messages that may be actually necessary in the discharge of their respective official duties; and that the Secretary and Journal Clerk be allowed between them \$5.00 in postage for their use in their official capacity.

It is further recommended that the Chairman of the Finance Committee be authorized to appoint a clerk to the Finance Committee, and a stenographer to the Finance Committee, and that their salaries shall be the same as during the regular session.

It is further recommended that each Senator and the Lieutenant Governor be permitted to subscribe to five daily papers to be paid for out of the contingent fund.

CLARK, Chairman.

POLLARD, Secretary.

The caucus report was laid before the Senate and on motion of Senator Dudley the Secretary was directed to cast the vote of the entire Senate for those named in said caucus report to be the elective officers of the Senate. The same was done and the officers were declared elected.

Oath of Office Administered to Officers.

The following officers appeared before the bar of the Senate and were administered the oath of office by Lieutenant Governor Davidson:

Secretary, W. V. Howerton; Assistant Secretary, Richard Blalock; Journal Clerk, Tilden Childs; Assistant Journal Clerk, Mrs. Josephine Collins; Second Assistant Journal Clerk, Miss Rebecca Bradley; Sergeant-at-Arms, A. W. Holt; First Assistant Sergeant-at-Arms, J. A. Kenny; Second Assistant Sergeant-at-Arms, Morris Midkiff; Third Assistant Sergeant-at-Arms, Morris Hankins; Calendar Clerk, F. H. Streitch; Mailing Clerk, Mrs. Beulah

Swann; Assistant Mailing Clerk, Mrs. Lotte Sturdevant; Assistant Mailing Clerk, Miss Mary Jones; Postmistress, Miss Annie Allen; Chaplain, Rev. T. M. Dalton; Telephone Operator, Miss Mary Jacobs; Doorkeeper, W. H. Brummett; Assistant Doorkeeper, Lane Tynes; Librarian, Miss Mary Bell Strauss.

Committee Appointed to Notify the Governor and the House.

On motion of Senator Dudley, the following committees were appointed to notify the Governor and the House that the Senate was organized and ready for work.

To notify the House: Senators Woods, Holbrook and Floyd.

To notify the Governor: Senators Lewis, McMillin and Wood.

Election of President Pro Tem.

The Chair announced that nominations were in order for President Pro Tem.

Senator Darwin placed in nomination for President Pro Tem Senator Murphy.

Senators Holbrook, Cousins, Watts, Clark and Floyd seconded the nomination.

There being no other nominations, the Chair announced that nominations were closed, and directed the Senators to prepare their ballots.

Senators Wirtz, Thomas and Stuart were appointed tellers, and announced that Senator Murphy had received 20 votes and Senator Darwin 1 vote.

The Chair (Lieutenant Governor Davidson) declared Senator Murphy duly and constitutionally elected President Pro Tem of the Senate for this Second Called Session.

The Chair appointed Senators Darwin, Parr and Baugh as a committee to escort President Pro Tem Murphy to the President's stand.

Senator Murphy was escorted to the bar of the Senate and was administered the constitutional oath of office.

Senator Murphy then briefly addressed the Senate, and thanked the Senators for the honor conferred upon him.

Simple Resolution No. 1.

By Senators Doyle and Darwin:

We move that the following be elected to the following places:

Edward Nixon—Engrossing Clerk.

Miss Lucile Phelps—Assistant Engrossing Clerk.

Carl L. Boes—Enrolling Clerk.

Margaret Hill—Assistant Enrolling Clerk.

The resolution was read and adopted.

Simple Resolution No. 2.

By Senator McMillin:

We move that Mrs. Mary Belcher be elected to the position of Assistant Mailing Clerk.

McMillin, Fairchild, Watts, Darwin, Clark, Stuart, Thomas, Parr, Wirtz, Floyd, Lewis, Baugh, Bowers, Dudley, Pollard, Murphy.

The resolution was read and adopted.

Simple Resolution No. 3.

By Senators Bowers and Darwin:

Be it resolved, That the Calendar Clerk of the Senate be paid \$7.50 per day.

The resolution was read and adopted.

Simple Resolution No. 4.

By Senator Wood:

I move that the Chairman of the Finance Committee be authorized to name an Assistant Secretary to the Finance Committee at \$5.00 per day.

The resolution was read and adopted.

Simple Resolution No. 5.

By Senator Doyle:

Resolved, That Mrs. Pearl Keys be added as an Assistant Clerk in the Senate mailing room.

The resolution was read and on motion of Senator Clark, was tabled.

Simple Resolution No. 6.

By Senator McMillin:

Resolved, That the rules of the Regular Session of the Thirty-eighth Legislature be adopted as the rules of the Senate of the Second Called

Session of the Thirty-eighth Legislature.

The resolution was read and adopted.

Simple Resolution No. 7.

By Senator Pollard:

Whereas, It has been the custom for the Senate to have a special Notary Clerk; therefore, be it

Resolved, That Mrs. W. S. Sadler be appointed as such Notary Clerk at \$5.00 per diem.

Pollard, Thomas, Fairchild, Strong, Watts, Stuart, Murphy, Holbrook, Darwin, Ridgeway, Parr, Bowers, Doyle, Lewis.

The resolution was read and lost.

Appointments by Lieutenant Governor.

The following appointments were announced by Lieutenant Governor T. W. Davidson:

Private Secretary, John Cofer.

Assistant Secretary, E. M. Pound.

Messenger, Wm. Dunn.

Pages: Joe Erwin, Wm. Eilers, Thos. Johnson, Buster Pound, C. C. Dorsey, Bob Pinkston, Fred Rowland, David Ramsey, Chas. Howell, Wm. Davis, Frank Westbrook, Loyd Coffee, Bill Smith, Willie Hurtt.

Porters: James Jackson, head porter; General Jackson, Jr., Tom Burton, Sam Grant, Buck Green, Ben Thompson, John Roberts, Monroe Williams.

Invitation to Visit Houston.

By Senator Murphy:

CHAMBER OF COMMERCE

Houston, Texas, April 10, 1923.

Hon. Charles Murphy, State Senator.

Dear Sir: No more important day is recorded on the calendar of Texas than the 21st day of April, important because it commemorates the birth of this wonderful commonwealth, the home of an industrious, capable and liberty-loving people.

It is proper that the day commemorating not only the emancipation of Texas from the rule of Mexico but the birth of the Republic which gave to the present citizenship of Texas the opportunities that are theirs in the territory wrested from Mexico as a re-

sult of the battle which took place on the Battlefield of San Jacinto, should be properly celebrated, and we take pleasure in requesting that you extend to the members of the State Senate an invitation to be our guests in Houston on Saturday, April the 21st and Sunday, April the 22nd, 1923, and to join with us in a public recognition of the services rendered to the State of Texas by those hardy pioneers, who, by their intrepid action and their valor contributed so materially to the establishment of what is today the State of Texas.

Yours truly,

HOUSTON CHAMBER OF COMMERCE, By Wm. A. Wilson, President.

THE CITY OF HOUSTON, By O. F. Holcombe, Mayor.

SONS OF THE REPUBLIC OF Texas, By Frank M. Gossett, Chairman.

CHAMBER OF COMMERCE

Houston, Texas, April 11, 1923.

Hon. Chas. Murphy, State Senator.

Dear Sir: Referring to the invitation which has been extended to the Senate to visit Houston on San Jacinto Day, it is of course understood that this invitation includes the wives of the members and also the principal officers of the two Houses and their wives.

Yours truly,

CHAMBER OF COMMERCE, By H. H. Haines, Vice-President and General Manager.

On motion of Senator Murphy, the invitation was accepted.

S. C. R. No. 1.

By Senator Murphy:

Whereas, The Houston Chamber of Commerce, the City of Houston and Sons of the Republic of Texas, have extended an invitation to the Thirty-eighth Legislature to visit Houston and the Battlefield of San Jacinto on Saturday, April 21st, 1923, as guests of the City of Houston, and to furnish a special train free of charge to the members of the Legislature and their families from Austin to Houston and return, as well as a trip to the Battlefield of San Jacinto;

Now Therefore, Be it Resolved by the Senate of Texas, the House Concurring, That the Thirty-eighth Legislature accept the invitation of the

Houston Chamber of Commerce, the City of Houston and the Sons of the Republic of Texas, to visit Houston on Saturday, April 21, 1923, leaving on a special train Friday, spending Saturday in Houston and leaving Houston Sunday afternoon on a special train for Austin.

The resolution was read and adopted.

S. C. R. No. 2.

By Senators Murphy and Bailey:

Whereas, The Hon. R. Lee Trinkle, Governor of the State of Virginia, is now in the State of Texas as a guest in the city of Houston; therefore, be it

Resolved by the Senate, the House concurring, That the said R. Lee Trinkle, Governor of the State of Virginia be, and he is hereby invited to address the Second Called Session of the Thirty-eighth Legislature, at any time convenient to him.

The resolution was read and adopted.

S. C. R. No. 3.

By Senator McMillin:

Resolved, That the Joint Rules of the House and Senate of the Regular Session of the Thirty-eighth Legislature be adopted as the Joint Rules of the Second Called Session of the Thirty-eighth Legislature.

The resolution was read and adopted.

S. B. No. 1 on Second Reading.

On motion of Senator Wood, by unanimous consent, the regular order of business was suspended and the Senate took up out of its regular order, on its second reading and passage to engrossment,

S. B. No. 1, A bill to be entitled "An Act making appropriations to pay the per diem and mileage of members and per diem of officers and employees of the Second Called Session of the Thirty-eighth Legislature of the State of Texas; to pay the unpaid warrants held by members, officers and employees of the Regular Session of the Thirty-eighth Legislature; to pay the per diem of the employees for post-session work of the Regular Session of the Thirty-eighth

Legislature; to pay the per diem of members, officers and employees for the pre-session work of the Second Called Session of the Thirty-eighth Legislature, convened on the 16th day of April, 1923, by proclamation of the Governor; providing how accounts may be approved and declaring an emergency."

On motion of Senator Wood, the constitutional rule requiring bills to be read on three several days in each house, was suspended, and S. B. No. 1 was put upon its second reading and passage to engrossment by the following vote:

Yeas—25.

| | |
|------------|-----------|
| Bailey. | Murphy. |
| Baugh. | Parr. |
| Bowers. | Pollard. |
| Clark. | Ridgeway. |
| Cousins. | Strong. |
| Darwin. | Stuart. |
| Doyle. | Thomas. |
| Dudley. | Turner. |
| Fairchild. | Watts. |
| Floyd. | Wirtz. |
| Holbrook. | Wood. |
| Lewis. | Woods. |
| McMillin. | |

Absent—Excused.

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| Bledsoe. | Rice. |
| Burkett. | Rogers. |
| Davis. | Witt. |

The Chair then laid S. B. No. 1 before the Senate on its second reading and passage to engrossment. The bill was read the second time.

On motion of Senator Wood, the Senate rule requiring committee reports to lie over one day was suspended by unanimous consent and the committee report that the bill be not printed was adopted.

S. B. No. 1 was then passed to engrossment.

S. B. No. 1 on Third Reading.

On motion of Senator Wood, the constitutional rule requiring bills to be read on three several days in each House was suspended and S. B. No. 1 was put upon its third reading and final passage by the following vote:

Yeas—25.

| | |
|---------|---------|
| Bailey. | Bowers. |
| Baugh. | Clark. |

| | |
|------------|-----------|
| Cousins. | Pollard. |
| Darwin. | Ridgeway. |
| Doyle. | Strong. |
| Dudley. | Stuart. |
| Fairchild. | Thomas. |
| Floyd. | Turner. |
| Holbrook. | Watts. |
| Lewis. | Wirtz. |
| McMillin. | Wood. |
| Murphy. | Woods. |
| Parr. | |

Absent—Excused.

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|----------|---------|
| Bledsoe. | Rice. |
| Burkett. | Rogers. |
| Davis. | Witt. |

The Chair then laid S. B. No. 1 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—25.

| | |
|------------|-----------|
| Bailey. | Murphy. |
| Baugh. | Parr. |
| Bowers. | Pollard. |
| Clark. | Ridgeway. |
| Cousins. | Strong. |
| Darwin. | Stuart. |
| Doyle. | Thomas. |
| Dudley. | Turner. |
| Fairchild. | Watts. |
| Floyd. | Wirtz. |
| Holbrook. | Wood. |
| Lewis. | Woods. |
| McMillin. | |

Absent—Excused.

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| Bledsoe. | Rice. |
| Burkett. | Rogers. |
| Davis. | Witt. |

S. B. No. 2 on Second Reading.

On motion of Senator Wood, by unanimous consent, the regular order of business was suspended and the Senate took up out of its regular order, on its second reading and passage to engrossment,

S. B. No. 2, A bill to be entitled "An Act making appropriations to pay the contingent expenses of the Second Called Session of the Thirty-eighth Legislature of the State of Texas; to pay the contingent expenses of the post-session of the Regular Session of the Thirty-eighth Legislature and to pay the contingent expenses of the pre-session work of the Second Called Session of the Thirty-

eighth Legislature of the State of Texas, convened April 16th, 1923, by proclamation of the Governor; providing how accounts may be approved and declaring an emergency."

On motion of Senator Wood, the constitutional rule requiring bills to be read on three several days in each House was suspended and S. B. No. 2 was put upon its second reading and passage to engrossment by the following vote:

Yeas—25.

| | |
|------------|-----------|
| Bailey. | Murphy. |
| Baugh. | Parr. |
| Bowers. | Pollard. |
| Clark. | Ridgeway. |
| Cousins. | Strong. |
| Darwin. | Stuart. |
| Doyle. | Thomas. |
| Dudley. | Turner. |
| Fairchild. | Watts. |
| Floyd. | Wirtz. |
| Holbrook. | Wood. |
| Lewis. | Woods. |
| McMillin. | |

Absent—Excused.

| | |
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| Bledsoe. | Rice. |
| Burkett. | Rogers. |
| Davis. | Witt. |

The Chair then laid S. B. No. 2 before the Senate on its second reading and passage to engrossment. The bill was read the second time.

On motion of Senator Wood, the Senate rule requiring committee reports to lie over one day, was suspended by unanimous consent, and the committee report that the bill be not printed, was adopted.

S. B. No. 2 was then passed to engrossment.

S. B. No. 2 on Third Reading.

On motion of Senator Wood, the constitutional rule requiring bills to be read on three several days in each House was suspended and S. B. No. 2 was put upon its third reading and final passage by the following vote:

Yeas—25.

| | |
|----------|------------|
| Bailey. | Doyle. |
| Baugh. | Dudley. |
| Bowers. | Fairchild. |
| Clark. | Floyd. |
| Cousins. | Holbrook. |
| Darwin. | Lewis. |

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|-----------|---------|
| McMillin. | Thomas. |
| Murphy. | Turner. |
| Parr. | Watts. |
| Pollard. | Wirtz. |
| Ridgeway. | Wood. |
| Strong. | Woods. |
| Stuart. | |

Absent—Excused.

| | |
|----------|---------|
| Bledsoe. | Rice. |
| Burkett. | Rogers. |
| Davis. | Witt. |

The Chair then laid S. B. No. 2 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—25.

| | |
|------------|-----------|
| Bailey. | Murphy. |
| Baugh. | Farr. |
| Bowers. | Pollard. |
| Clark. | Ridgeway. |
| Cousins. | Strong. |
| Darwin. | Stuart. |
| Doyle. | Thomas. |
| Dudley. | Turner. |
| Fairchild. | Watts. |
| Floyd. | Wirtz. |
| Holbrook. | Wood. |
| Lewis. | Woods. |
| McMillin. | |

Absent—Excused.

| | |
|----------|---------|
| Bledsoe. | Rice. |
| Burkett. | Rogers. |
| Davis. | Witt. |

Resignation as Chairman of Finance Committee.

Senator Dudley asked unanimous consent to be relieved of the duties of Chairman of the Committee on Finance, and that Senator Wood be appointed Chairman in his stead, Senator Dudley retaining his membership on the committee.

There was no objection and it was so ordered.

Oath of Office Administered.

Mrs. W. R. Davis, Assistant Calendar Clerk, and Russell Nelson, Messenger to the Old Ladies Confederate Home, were administered the constitutional oath of office by the Lieutenant Governor.

Resignation of John Cook.

Senator Fairchild announced that John Cook, who was elected as Messenger to the Confederate Home, was unable to act, and asked unanimous consent of the Senate to name another messenger in the place of Mr. Cook.

There was no objection and it was so ordered.

Notification Committees Report.

Notification Committees, appointed to notify the Governor and the House that the Senate was organized and ready for business here appeared, made reports, and were discharged.

Excused.

Senators Witt and Bledsoe for today and until Thursday, on account of important business, on motion of Senator Dudley.

Senator Davis for today and until Thursday, on account of important business, on motion of Senator Baugh.

Senators Burkett, Rogers and Rice for today, on account of important business, on motion of Senator Strong.

House Notifies Senate.

Here a committee of the members of the House appeared at the bar of the Senate and notified the Senate that the House was organized and ready for business.

The Senate received the message and thanked the committee.

Message from the Governor.

The Chair laid before the Senate, and had read, the following message from the Governor:

Governor's Office.

Austin, Texas, April 16, 1923.
To the Members of the Thirty-eighth Legislature, Second Called Session:
Gentlemen: You have been called in extraordinary session to deal with extraordinary problems. Among the several subjects calling for legislative consideration none more urgently de-

mands careful thought and decisive action than does the one of taxation. It must necessarily be studied from many angles. Upon the proper solution of this problem depends in no small degree efficient and orderly conduct of the public service. Government and taxation are inseparably interwoven. They are interdependent.

There are two sources of revenue; one is property, the other is privilege. Growing out of a practice covering a long period of years, we are prone to look too much to property, and too little to privileges, each alike valuable possessions, from which to secure revenue for the support of the government. We have been educated to believe that tangible things, things which can be seen, like land, and not intangible things, earning factors in modern commercial life, are the taxable things with which to maintain our governmental institutions. As a result, land, taken as a whole, is paying too great a part of our tax burdens, and, in proportion, privileges are bearing too little. Tangible or intangible, visible or invisible, a profitable possession, whether land or privilege, is a valuable possession and should bear, proportionate to its value, a rightful share of the costs of the government which protects and makes valuable such possession.

During the past few years, comparatively speaking, on account of the development of the natural resources and other big interests, the whole fabric of our industrial life has been re-woven. Individual opportunity has given way to corporate monopoly. With the development of this new industrial day has come increasing demands upon the State for corporate privileges. Inasmuch as Texas furnishes a rich and ample field for the development of natural resources, and inasmuch as valuable rights pertaining thereto are received from the State, it is not an unreasonable exercise of the taxing power for the sovereign State, which furnishes this field and protects these rights, to impose a reasonable tax upon the earning value of these valuable possessions and privileges.

An interesting illustration, both of the value of privilege and of the extent to which corporate monopoly has grown, which should impress itself upon legislative thought, may be had by comparing the gross receipts of ten classified corporate industries, which

for the year 1922, from operations in Texas, exceeded eight hundred millions of dollars, with little in excess of four hundred million dollars received during the same year by four hundred thousand farmers for their entire cotton crop, including the seed.

Franchise Tax.

There are approximately 13,000 corporations doing business at this time in the State of Texas. With the exception of a nominal flat franchise tax, only a small per cent of these corporations are taxed with reference to the value of the privilege received. Inasmuch as land is taxed upon value, frequently unsupported by earning capacity, there is no sound reason why privileges should be accorded a more lenient rule, especially when, as in the case of privilege, the tax does not adhere except upon value actually proved by actual earnings. Texas, under its nominal flat rate franchise tax, receives from her corporations, excepting a small per cent coming under the provisions of the Gross Receipts Tax or Intangible Tax Laws, less money than half a million dollars each year; while California, for illustration, under the taxing system based upon the value of the privilege conferred, receives from the same class each year, approximately three and one-half million dollars. Our franchise tax law should be amended to the end that these valuable privileges received by corporate interests from the sovereignty of the State, be taxed in proportion to the value of these corporate rights and franchise privileges. In this way, taxes would be placed where they belong and the State's necessary revenue will be materially increased.

Gross Tax Receipts.

The present gross tax law was enacted by the Legislature of 1907. Since its enactment the rate of tax imposed has not been changed. During the same period, however, the ad valorem tax upon property has been increased from 32 cents to 75 cents upon the one hundred dollars of assessed valuation. During the same time, the State's assessed valuation has increased from \$1,635,297,115 to \$3,379,872,796. It is therefore clearly seen that the present gross receipts tax law should be rewritten and the rates adjusted to present day conditions.

Tax on Crude Oil, the State's Greatest Natural Resource.

As shown by the records in the Comptroller's Department, the production of crude oil in Texas for the year ending August 31, 1922, totalled 113,683,608 barrels, having an aggregate market value of \$117,076,517. It is estimated that the big oil companies produce about seventy-five per cent of this annual oil output. As a matter of equity and as a matter of right, Texas has a claim against these oceans of oil found thousands of feet below her surface. Is the State of Texas to stand idly by and see this stream of gold flow out of her borders until the State is drained dry, and not require this enormous wealth to build its proportional part of our schools, our public roads, and our eleemosynary institutions? Will the Legislature permit this great natural resource to make millionaires of a few and at the same time not do its part in paying for those worth-while things that make a state both great and good.

The daily papers of this State recently carried the statement that one oil company alone made, last year, a clear profit of \$50,000,000 out of crude oil, a natural resource.

Our neighboring states, Oklahoma and Louisiana, demand of their oil companies a reasonable compensation for the support of their respective governments. Shall the people of Texas continue to sleep at the switch while the oil trains pass by?

This oil industry is not confined to production alone. Frequently, through interlocking interests, and close corporate affiliations, the occupation of producing is intimately associated with the refining industry and the pipe-line industry—the natural by-products of our oil wells. As parts of a whole, these separate industries should bear, in keeping with their values, a proportionate share of the costs of the government, under the protecting wings of which they create their wealth.

The Man of Wealth Who Stands Between.

Among the several activities of our big and busy industrial life there is frequently standing the middle man, who should not be overlooked in the legislative study of our tax problems. On the highway of com-

merce he stands between the cotton fields and the factory; the ranch and the meat shop; the oil well and its numerous wealth producing by-products. This middleman may not be directly concerned in the original production of wealth, but in the handling of this produced wealth he makes his profits. Having in his possession, perchance, but little visible, physical property, he pays but little tax. He may not produce cotton, yet as a broker, his profits far exceed those of the tiller of the soil who by arduous labor does produce it. He may not bore oil wells, yet in buying from the producers and selling to the pipe lines, the refineries, and other handlers of crude oil, he amasses his millions. He may not raise cattle on the ranch, but may be a potent factor in cutting down the price of cattle on the hoof and of running up the price of a roast in the meat market. In short, there are many men and industries, earning enormous profits in the handling of capital vastly out of proportion to the value of their taxable property. Certainly this wealth, thus accumulated, should contribute its part to the support of the government.

Delinquent Taxes Should Be Collected.

Under our present inefficient tax law we have no effective way of collecting taxes. In justice to the State, and in justice to those who do pay their taxes, all past due taxes should be collected. As shown by the records, the delinquent taxes due on real estate alone, aggregate in excess of \$6,000,000. Effective laws should be promptly enacted whereby these past due taxes could be collected, and the proceeds turned into the treasury.

Equalization of Taxes.

Our State Constitution declares that, "taxation shall be equal and uniform," and that, "All property in this State shall be taxed in proportion to its value." This language of the Constitution is definite and mandatory. It is, however, a matter of common knowledge that we have in this State no uniformity of assessed valuations. There can be no equality of taxation except that which is based upon uniformity of assessments.

Laws should be enacted whereby, for the purpose of the State tax levy, assessed valuations throughout the State shall be brought to a uniform standard. It should at all times be kept in mind, however, that no system of taxation may in truth be called just and equitable that does not equalize the tax burdens, not only those that pertain to property of the same value and character, but those also pertaining to property and valuable privileges granted to special interests by the State.

Present Status of Your State's Treasury.

Upon this, the 16th day of April, coincident with the beginning of your deliberations, the State's general revenue account shows a deficit amounting to \$720,406.55. In addition thereto, as shown by the record in the Comptroller's Department, there are outstanding legislative appropriation charges against general revenue, subject to demand between present date and August 31, 1923, aggregating \$6,318,690.85.

The total of expectant revenue to be derived from all sources during the same period, including receipts from tax collectors, departmental revenue and gross receipts taxes, will not exceed \$2,834,593.45, showing a deficit of revenue to meet outstanding obligations as of August 31, 1923, amounting to \$3,399,097.40. Any appropriations made by the Special Session to be available during the present fiscal year, will, to such an extent, increase the deficit shown. Assuming that for the Special Session the usual necessary appropriation to pay mileage and per diem of members, and contingent expense, will be \$85,000. This item included will bring the total deficit of general revenue as of August 31 to \$3,484,097.40.

The total sum appropriated by the Regular Session of the Thirty-eighth Legislature was \$6,914,500, of which sum \$165,000 was for mileage, per diem and expense, and \$3,000,000 in aid of public free schools and since transferred from general revenue to the available school fund. Of the remainder appropriated \$1,483,250 was made available during the present fiscal year; \$847,500 September 1, 1923, to August 31, 1924, and

\$1,418,750 September 1, 1924, to August 31, 1925.

It is estimated that assessed valuations of all property subject to the ad valorem tax for the year 1923 will not exceed \$3,400,000. Without taking into account additional revenue, such as in your wisdom may be provided for, general revenue for the fiscal year September 1, 1923, to August 31, 1924, conservatively estimated will not exceed \$16,620,000. From this amount of prospective revenue must be deducted the deficiency as indicated, \$3,484,097, plus appropriations by the Regular Session, available September 1, 1923, to August 31, 1924, \$847,500—total \$4,331,597, leaving a balance of \$12,288,403 to meet requirements of the general appropriation bills for maintenance of the State's Government, including the judiciary, the several eleemosynary institutions, institutions of learning, executive and administrative departments and miscellaneous items, and such appropriations, out of the general revenue as may be made in aid of the public free schools. Exclusive of miscellaneous items and appropriations in aid of the public free schools, recommendations submitted by the Board of Control not including the State Highway Department, aggregate \$15,985,659, as against estimated revenue of \$12,288,403, indicating, based upon the figures submitted, a prospective deficit to general revenue at the end of the fiscal year August 31, 1924, of \$3,697,256.

Therefore, it is obvious that the Legislature must either enact laws providing additional revenues or materially reduce the operating expense of the State Government. We must make provision for our eleemosynary and educational institutions, including the public free schools, the judiciary and the executive and administration departments of our government. The State should be placed upon a "pay as you go" basis. Conservative thought and action will go far toward solving our present financial problem. In solving it, I feel confident of your earnest and patriotic co-operation. In the light of the above truths and in the spirit of co-workers, I submit for your consideration tax legislation on the following subjects:

1. A law by which, in keeping with their value, producers of crude oil, refineries and pipe line companies shall pay to the State a tax commensurate with their accumulating profits derived from the State's economic wealth.

2. A law by which corporate franchise privileges be taxed upon a basis of the value of such rights received from the State.

3. A law amending the present gross receipts tax schedule of rates so as to conform with present day earnings.

4. A law providing for a more comprehensive system of taxing inherited property with liberal exemption in favor of the wife, husband, and lineal issue.

5. A law by which property of every character now subject to the ad valorem tax, yet escaping taxation, be introduced to the tax assessors and be made to pay its rightful share.

6. A law by which delinquent taxes may be impartially collected and the proceeds paid into the treasury.

7. A law that will equalize, for the purpose of the State tax levy, property valuations.

8. An Income Tax Law. Such a law may, and should be, designed especially to reach a considerable number of persons who, having little or no physical property to be taxed, yet in their particular fields, prosper far beyond the average citizen who is regularly taxed. Their children, like those of their tax-paying neighbors, are educated at public expense. They have equal protection of the law: they should bear their rightful share of the expenses of government.

It is to be hoped that these necessary revenue-producing measures may have priority over other legislative matters, in order that we may all know, at the earliest date possible, the length and width of our financial cloth from which we must necessarily cut our appropriation garment.

Respectfully submitted,
PAT M. NEFF,
Governor.

Bills on First Reading.

The following bills, introduced today, were each read first time and

referred to appropriate committees as follows:

By Senators Dudley and Wood:

S. B. No. 1, A bill to be entitled "An Act making appropriations to pay the per diem and mileage of members and per diem of officers and employees of the Second Called Session of the Thirty-eighth Legislature of the State of Texas; to pay the unpaid warrants held by members, officers and employees of the Regular Session of the Thirty-eighth Legislature; to pay the per diem of the employees for post-session work of the Regular Session of the Thirty-eighth Legislature; to pay the per diem of members, officers and employees for the pre-session work of the Second Called Session of the Thirty-eighth Legislature, convened on the 16th day of April, 1923, by proclamation of the Governor; providing how accounts may be approved and declaring an emergency."

To Committee on Finance.

By Senators Wood and Dudley:

S. B. No. 2, A bill to be entitled "An Act making appropriations to pay the contingent expenses of the Second Called Session of the Thirty-eighth Legislature of the State of Texas; to pay the contingent expenses of the post-session of the Regular Session of the Thirty-eighth Legislature and to pay the contingent expenses of the pre-session work of the Second Called Session of the Thirty-eighth Legislature of the State of Texas, convened April 16, 1923, by proclamation of the Governor; providing how accounts may be approved and declaring an emergency."

To Committee on Finance.

By Senators Dudley and Wood:

S. B. No. 3, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain educational institutions and other expenses of maintaining and conducting them as follows, to-wit: University of Texas, including the Medical Branch at Galveston, and the College of Mines and Metallurgy at El Paso, Agricultural and Mechanical College, State Experimental Stations, Prairie View Normal and Industrial College, John Tarleton Agricultural College, Grubbs Vocational College, Promotion of Vo-

cational Education, College of Industrial Arts, Sam Houston State Teachers College at Hunstville, Southwest Texas State Teachers College at San Marcos, North Texas State Teachers College at Denton, West Texas State Teachers College at Canyon, East Texas State Teachers College at Commerce, Sul Ross State Teachers College at Alpine, Stephen F. Austin State Teachers College at Nacogdoches, Texas School for the Blind, and Texas School for the Deaf, for the years beginning September 1, 1923, and ending August 31, 1925, and declaring an emergency."

To Committee on Finance.

By Senator Wood:

S. B. No. 4, A bill to be entitled "An Act making an emergency appropriation for the Adjutant General of this State, made necessary by emergencies arising in declaring martial law in this State, and declaring an emergency."

To Committee on Finance.

By Senator Bowers:

S. B. No. 5, A bill to be entitled "An Act to provide that a certified copy of the record of a judgment or decree, or order, or entries, in the United States Courts in cases charging violation of the laws against the sale, manufacturing, transportation, possession of intoxicating liquors, and the ownership or possession of equipment for the manufacture of such liquor, may be introduced in evidence in the State Courts in prosecutions for violation of any of the prohibition laws of the State, and shall be prima facie evidence of the guilt of the defendant, and declaring an emergency."

To Committee on Criminal Jurisprudence.

By Senator Clark:

S. B. No. 6, A bill to be entitled "An Act appropriating \$6,000,000.00 out of the State Treasury to aid all the public schools for the scholastic years beginning September 1, 1923, and ending August 31, 1925, the same to be distributed as the available school fund is now distributed; and declaring an emergency."

To Committee on Finance.

By Senator Wood:

S. B. No. 7, A bill to be entitled "An Act making appropriation to pay

salaries of judges, and the support of the judicial department of the State Government for the two years, beginning September 1, 1923, and ending August 31, 1925, and declaring an emergency."

To the Committee on Finance.

By Senators Dudley and Wood:

S. B. No. 8, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain eleemosynary institutions of the State and other expenses of maintaining and conducting them for the two fiscal years beginning September 1, 1923, and ending August 31, 1925, as follows, to-wit: Confederate Woman's Home; State Confederate Home; State Lunatic Asylum; State Pasteur Institute; Southwestern Insane Asylum; North Texas Hospital for the Insane; East Texas Hospital for the Insane; State Epileptic Colony; State Orphan's Home; State Institution for Training of Juveniles; Girls Training School; State Colony for Feeble Minded; State Tuberculosis Sanatorium; Hospital for Crippled Children; Deaf, Dumb and Blind Institute for Colored Youths; Northwest Texas Insane Asylum; State Home for Dependent and Neglected Children; and declaring an emergency."

To the Committee on Finance.

Recess.

On motion of Senator Clark, the Senate, at 11:40 a. m., recessed until 3 p. m. today.

Afternoon Session.

The Senate met at 2 p. m. and was called to order by Lieutenant Governor T. W. Davidson.

Messenger Appointed.

W. W. Tucker was appointed by Senator Fairchild as messenger to carry papers to the Confederate Home in the place of John Cook, resigned, and in accordance with a motion adopted by the Senate on this morning, in which Senator Fairchild was authorized to take such action.

(President Pro Tem Murphy in the Chair.)

Simple Resolution No. 8.

By Senators Dudley and Wirtz:

Whereas, The painting of General McAlexander has nothing on it to show who it is, or what he has done or why this picture hangs on our walls, though this man commanded the Texas boys at the battle of the Marne; and

Whereas, This fine painting is said to have been painted in France at the expense of the Texas ex-service men and given to the State of Texas, yet there is nothing on this picture to tell what or who it is; therefore, be it

Resolved, That Senators Rogers, Baugh and Strong be named a committee to secure a concise history of this famous general and also of the picture and have the same properly inscribed on a metal plate and attached to the picture, that all who read may know what it indicates, and that this committee is authorized to use from the Contingent Fund the money necessary for this purpose not to exceed fifty dollars.

The resolution was read and adopted.

Invitation Accepted.

On motion of Senator Darwin, the invitation of the House to attend an address in the House Chamber by Hon. Roscoe Pounds of the Harvard Law University at 10:30 a. m., Tuesday, April 17, was accepted.

Bills Signed.

The Chair, Lieutenant Governor Davidson, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

- S. B. No. 1.
- S. B. No. 2.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, April 16, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed:

S. C. R. No. 1, Accepting the invitation by the Houston Chamber of Commerce to visit Houston next Friday, April 20th.

S. C. R. No. 2, Extending an invitation to Hon. R. Lee Trinkle, Governor of Virginia, to address the Legislature in joint session.

S. B. No. 1, Making appropriations to pay the mileage and per diem of the members of the Thirty-eighth Legislature.

S. B. No. 2, Making appropriations to pay the contingent expenses of the Thirty-eighth Legislature.

The House extends an invitation to the Senate to be present at 11:30 Tuesday, April 17th, to hear the address of the Hon. Roscoe Pounds, Dean of the Harvard University Law School.

S. C. R. No. 3, Relating to the adoption of the Joint Rules of the House and Senate.

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

Adjournment.

On motion of Senator Darwin, the Senate, at 4 p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

Committee Reports.

Senate Chamber,

Austin, Texas, April 16, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 1 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,

Austin, Texas, April 16, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 2 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Committee Room,

Austin, Texas, April 16, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 1, A bill to be entitled "An Act making appropriations to pay the per diem and mileage of members and per diem of officers and employees of the Second Called Session of the Thirty-eighth Legislature of the State of Texas; to pay the unpaid warrants held by members, officers and employees of the Regular Session of the Thirty-eighth Legislature; to pay the per diem of the employees for post-session work of the Regular Session of the Thirty-eighth Legislature; to pay the per diem of members, officers and employees for the pre-session work of the Second Called Session of the Thirty-eighth Legislature, convened on the 16th day of April, 1923, by proclamation of the Governor; providing how accounts may be approved, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

DUDLEY, Chairman.

Committee Room,

Austin, Texas, April 16, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 2, A bill to be entitled "An Act making appropriations to pay the contingent expenses of the Second Called Session of the Thirty-eighth Legislature of the State of Texas; to pay the contingent expenses of the post-session of the Regular Session of the Thirty-eighth Legislature and to pay the contingent expenses of the pre-session work of the Second Called Session of the Thirty-eighth Legislature of the State of Texas, convened April 16th, 1923, by proclamation of the Governor; providing how accounts may be approved, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

DUDLEY, Chairman.

Committee Room,

Austin, Texas, April 16, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 3, A bill to be entitled

"An Act making appropriations to pay the salaries of officers and employees of certain educational institutions and other expenses of maintaining and conducting them as follows, to wit: University of Texas, including the Medical Branch at Galveston, and the College of Mines and Metallurgy at El Paso, Agricultural and Mechanical College, State Experimental Stations, Prairie View Normal and Industrial College, John Tarleton Agricultural College, Grubbs Vocational College, College of Industrial Arts, Sam Houston State Teachers College at Huntsville, Southwest Texas State Teachers College at San Marcos, North Texas State Teachers College at Denton, West Texas State Teachers College at Canyon, East Texas State Teachers College at Commerce, Sul Ross State Teachers College at Alpine, Stephen F. Austin State Teachers College at Nacogdoches, Texas School for the Blind, and Texas School for the Deaf, for the years beginning September 1st, 1923, and ending August 31st, 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

DUDLEY, Chairman.

Committee Room,

Austin, Texas, April 16, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 7, A bill to be entitled "An Act making appropriation to pay salaries of judges, and the support of the judicial department of the State Government for the two years, beginning September 1, 1923, and ending August 31, 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WOOD, Chairman.

Committee Room,

Austin, Texas, April 16, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 8, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain eleemosynary institutions of

the State and other expenses of maintaining and conducting them for the two fiscal years beginning September 1, 1923, and ending August 31, 1925, as follows, to wit: Confederate Woman's Home; State Confederate Home; State Lunatic Asylum; State Pastoral Institute; Southwestern Insane Asylum; North Texas Hospital for the Insane; East Texas Hospital for the Insane; State Epileptic Colony; State Orphan's Home; State Institution for Training of Juveniles; Girls' Training School; State Colony for Feeble Minded; State Tuberculosis Sanitorium; Hospital for Crippled Children; Deaf, Dumb and Blind Institute for Colored Youths; Northwest Texas Insane Asylum; State Home for Dependent and Neglected Children; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WOOD, Chairman.

SECOND DAY.

Senate Chamber,

Austin, Texas,

Tuesday, April 17, 1923.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

| | |
|------------|-----------|
| Bailey. | Lewis. |
| Baugh. | McMillin. |
| Bowers. | Murphy. |
| Burkett. | Pollard. |
| Clark. | Ridgeway. |
| Cousins. | Strong. |
| Doyle. | Thomas. |
| Dudley. | Turner. |
| Fairchild. | Watts. |
| Floyd. | Wood. |
| Holbrook. | Woods. |

Absent.

| | |
|---------|---------|
| Darwin. | Rice. |
| Parr. | Stuart. |
| Rogers. | Wirtz. |

Absent—Excused.

| | |
|----------|-------|
| Bledsoe. | Witt. |
| Davis. | |

Prayer by the Chaplain.

Pending reading of the Journal of yesterday, the same was dispensed with on motion of Senator Watts.

(See Appendix for committee reports, petitions and memorials.)

Excused.

Senator Wirtz for today and until Thursday, on account of important business, on motion of Senator Bailey.

Senator Bowers for today, on account of attendance upon the State Text Book Board, on motion of Senator Ridgeway.

Senators Rice and Rogers for today and indefinitely, on account of important business, on motion of Senator Wood.

Bills on First Reading.

The following bills, introduced today, were each read first time and referred to appropriate committees as follows:

By Senators Floyd, Fairchild, and Pollard:

S. B. No. 9, A bill to be entitled "An Act for the purpose of promoting the public school interests of rural schools and those of small towns, of aiding the people to provide adequate school facilities for the education of their children, by the appropriation of two million dollars per year, or so much thereof as may be necessary, for the next two years, ending August 31, 1924, and August 31, 1925, respectively, allowing the State Board of Education and the State Superintendent of Public Instruction to aid such schools in accordance with the conditions herein specified; providing how such schools shall be located and school buildings constructed, furnished, and maintained; providing certain prerequisites for the granting of such aid, and providing no school having over five hundred scholastics shall receive such aid, giving preference to all school districts in which the available school fund together with the local district tax will not maintain the school six months in the year; limiting the amount which any school may